

**Mississippi Secretary of State**  
700 North Street P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME Mississippi State Department of Health		CONTACT PERSON William F. Moody	TELEPHONE NUMBER 601-576-7518	
ADDRESS 570 East Woodrow Wilson, Suite 232		CITY Jackson	STATE MS	ZIP 39215
EMAIL wmoody@msdh.state.ms.us	SUBMIT DATE 6/28/2011	Name or number of rule(s): Final FY-2011 Intended Use Plan Amendment #1 for the DWSIRLF		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: \_\_\_\_\_  
This will be the Final FY-2011 Intended Use Plan Amendment #1 which will show projects to be funded and the terms of the assistance for Drinking Water Systems Improvements Revolving Loan Fund.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 41-3-16

List all rules repealed, amended, or suspended by the proposed rule: \_\_\_\_\_

**ORAL PROCEEDING:**

- ☒ An oral proceeding is scheduled for this rule on Date: 6/24/11 Time: 9:00am Place: Mississippi State Department of Health  
2423 North State Street, Underwood -232  
Jackson, MS 39215
- ☐ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.


**ECONOMIC IMPACT STATEMENT:**

- ☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately on _____ Other (specify): _____	<b>Action proposed:</b> _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed date of adoption:</b> _____ 30 days after filing _____ Other (specify): _____	<b>Action taken:</b> _____ Adopted with no changes in text <input checked="" type="checkbox"/> Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: William F. Moody, Director, Drinking Water State Revolving Loan Fund

Signature of person authorized to file rules: \_\_\_\_\_

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	<div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <u>CB17889E</u>

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS  
IMPROVEMENTS BOARD

MEMORANDUM

Date: June 28, 2011

To: Mayors, Presidents of Boards of Supervisors, County Administrators, Presidents of Rural Water Associations, Consulting Engineers, and Other Interested Parties

From: James H. Craig, III, Chairman *JHC for J. W.*  
Local Governments and Rural Water Systems Improvements Board

Subject: Drinking Water Systems Improvements Revolving Loan Fund (DWSIRLF) Program  
Final FY-2011 Intended Use Plan (IUP) Amendment #1

**Final FY-2011 Intended Use Plan Amendment #1**

The Local Governments and Rural Water Systems Improvement Board (Board) established a public comment period on the Final FY-2011 IUP Amendment #1 for the DWSIRLF Loan Program through 9:00 a.m. on June 24, 2011. Written comments were received until that time at the address noted below.

The Board held a public hearing at 9:00 a.m., Friday, June 24, 2011, in Room U-232, in the offices of the Mississippi State Department of Health (MSDH), located at 2423 North State Street (Underwood Building) in Jackson, Mississippi, to receive written or verbal comments on the document. No comments were received.

As previously stated, loans made from the Standard Capitalization Grant funds during FY-2011 may receive some additional subsidization in the form of principal forgiveness and as long as the designated money is available. The amount of principal forgiveness is based on the system's median household income (MHI) vs. the State's MHI. Details of the additional subsidization (principal forgiveness) and the method used to calculate it are outlined on page 16 of the IUP. Principal forgiveness amounts per system are listed on the Final FY-2011 Priority List and the FY-2012 and After Planning Lists beginning on page 24. Additionally, the grant requires that 20% of the funds must be awarded for the construction of "Green Infrastructure" as defined in EPA guidelines. To achieve this requirement, projects of higher ranking may be by-passed by lower ranked projects.

The Final FY-2011 IUP reflects a 1.95% loan interest rate for all FY-2011 projects with a 20-year repayment period. It also includes a limit of one project per loan recipient with a maximum loan amount of \$5,000,000. The Priority List of projects to receive loan funding is included in the Final FY-2011 IUP and has been prioritized in accordance with criteria previously approved by the Board.

The Board urges all applicants with projects on the FY-2011 Priority List to pay particular attention to Sections A. (pages 13-16) and D. (page 22) of the Priority System which establishes guidelines for the use of funds associated with the federal appropriation and certain deadlines for FY-2011 projects. These deadlines have been established to insure that funds are reserved only for projects that are proceeding in a timely manner toward loan award.

Potential loan recipients with projects shown on the FY-2012 and After Planning List are strongly encouraged to continue working on their projects. Additional funds may become available for award during the year should funded projects fail to meet the established deadlines within the priority system. These released funds will be made available on a first-come-first-served basis to FY-2011 "catch-up" projects which proceed and meet all requirements for loan award in FY-2011.

If you are interested in a low interest loan for a project with potential principal forgiveness, you must **act quickly** to submit a ranking form and get started on your facilities plan in the event that additional funding is made available. The ranking form is available at the website listed below.

Copies of the Final FY-2011 IUP Amendment #1 are being mailed to those prospective loan recipients who have projects listed on the FY-2011 Priority List or the FY-2012 and After Planning List, and their consulting engineers. If you did not receive a copy of these documents, but would like one, you can download a copy from the MSDH website at [www.healthymms.com/dwsrf](http://www.healthymms.com/dwsrf), or call this office at (601) 576-7518, and a copy or copies will be mailed to you.

We look forward to receiving your input on these documents. If you have any questions, or if we may be of assistance, please contact Ulysses Conley at (601) 576-7518.

Enclosures